

NO. 24973

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

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HAROLD JIM, Petitioner,

vs.

THE HONORABLE RIKI MAY AMANO, JUDGE OF THE CIRCUIT COURT  
OF THE THIRD CIRCUIT, STATE OF HAWAI'I, Respondent.

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ORIGINAL PROCEEDING  
(CR. NO. 01-1-0129)

ORDER

(By: Moon, C.J., Levinson, Nakayama,  
Ramil, and Acoba, JJ.)

Upon consideration of Petitioner Harold Jim's petition for a writ of mandamus and alternative motion for stay pending appeal, the papers in support, and the records and files herein, it appears that: (1) A writ of mandamus is an extraordinary remedy that will not issue unless the petitioner demonstrates a clear and indisputable right to relief and a lack of alternative means to redress adequately the alleged wrong or obtain the requested action. State v. Hamili, 87 Hawai'i 102, 104, 952 P.2d 390, 392 (1998); (2) Such writs are not meant to supersede the legal discretionary authority of the lower courts, nor are they meant to serve as legal remedies in lieu of normal appellate procedures. Id.; (3) Petitioner asks this court to order the respondent judge to grant a motion to extend the time to file a notice of appeal and reinstate the stay of sentence pending appeal in State v. Jim, Cr. No. 01-1-0129; (4) Petitioner filed a notice of appeal from the judgment entered in State v. Jim on March 8, 2002; and (5) Petitioner can raise any issue related to

the denial of the motion for extension of time in the appeal and can move for a stay of sentence in the pending appeal.

Therefore,

IT IS HEREBY ORDERED that the petition for a writ of mandamus is denied without prejudice to Petitioner seeking any relief in the appeal.

DATED: Honolulu, Hawai'i, March 19, 2002.